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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: PHENYLPROPANOLAMINE
(PPA) PRODUCTS LIABILITY
LITIGATION

MDL NO. 1407

CASE MANAGEMENT
ORDER NO. 4

110C 2.155R
The court held a telephone conference on January 28, 2002 with liaison counsel Joe Hurson and Lance Palmer and on January 30, 2002 with Tom Smart and Richard Lewis, and has reviewed the relevant briefing. The court having approved Case Management Orders 1, 2, and 3, now adds the following:


1. The court hereby schedules a regular status conference for the fourth Wednesday of each month at 2:30 p.m., to be attended only by liaison and lead counsel unless the court specifically indicates otherwise. Counsel shall notify the court if they believe attendance by other attorneys is warranted. Ten days prior to each conference, counsel shall submit a proposed agenda to the court. The first such conference will be held February 27, 2002. At the conference, the court will hear oral argument on the parties' respective positions on the outstanding expert discovery schedule is-

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1 sues. Counsel designated to make those arguments may also
2 attend the status conference.

- 3 2. The court directs the parties to investigate the logistics
4 involved in video conferencing, both for depositions and
5 status conferences. The parties shall report their findings
6 to the court at the February 27, 2002 conference.
- 7 3. At the conference counsel shall address whether the parties
8 shall notify agents and third parties of entry of the court's
9 preservation order.
- 10 4. The court denies plaintiffs' "most favored nation" request
11 that the court automatically adopt and incorporate the most
12 protective state preservation orders into management of the
13 multi-district litigation.
- 14 5. The court hereby lifts the stay for the purposes of allowing
15 the parties to submit, and the court to rule on, motions for
16 the substitution of defendants.
- 17 6. Defendants shall submit their Summary of Facts and Issues no
18 later than February 25, 2002.

19 DATED at Seattle, Washington this 31st day of January, 2002.

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23 BARBARA JACOBS ROTHSTEIN
24 UNITED STATES DISTRICT JUDGE